



OFFICE OF THE PROSECUTING ATTORNEY
24TH JUDICIAL CIRCUIT
HAMILTON COUNTY, INDIANA

PRESS RELEASE

Monday, October 20, 2014

Following an investigation conducted by the Hamilton County Sheriff's Office, law enforcement officers have arrested Justin Lawson and Joseph Lowe in connection with the home-invasion robbery of Hershel "Bud" Moore on October 10th in Arcadia.

The charges, filed on October 20, 2014, are pending in Hamilton Superior Court II in Noblesville under cause numbers 29D02-1410-F2-008662 (Lawson) and 29D02-1410-F2-008663 (Lowe).

The following charges were filed against Justin Lawson:

Burglary, I.C. 35-43-2-1, a Level 2 Felony;
Robbery Resulting in Bodily Injury, I.C. 35-42-5-1(1), a Level 3 Felony;
Criminal Confinement, I.C. 35-42-3-3(a), a Level 3 Felony;
Intimidation, I.C. 35-45-2-1(a)(1), a Level 6 Felony;
Strangulation, I.C. 35-42-2-9(b), a Level 6 Felony;
Battery Resulting in Bodily Injury, I.C. 35-42-2-1(b)(1), a Class A Misdemeanor;
Criminal Recklessness, I.C. 35-42-2-2(a), a Level 6 Felony; and
Theft, I.C. 35-43-4-2(a), a Level 6 Felony.

The following charges were filed against Joseph Lowe:

Burglary, I.C. 35-43-2-1, a Level 2 Felony;
Robbery Resulting in Bodily Injury, I.C. 35-42-5-1(1), a Level 3 Felony;
Criminal Confinement, I.C. 35-42-3-3(a), a Level 3 Felony; and
Theft, I.C. 35-43-4-2(a), a Level 6 Felony.

Mr. Lawson and Mr. Lowe remain held at the Hamilton County Jail. Mr. Lawson's bond has been set at \$360,000.00, cash or surety. Mr. Lowe's bond is set at \$86,000.00, cash or surety. Both causes are set for a pretrial conference on January 2, 2015 at 1:20 p.m.

The fact that a defendant has been charged with a crime is merely an accusation, and the defendant is presumed innocent until and unless proven guilty.

Further inquiries about the litigation may be directed to Chief Deputy Prosecuting Attorney Andre Miksha. Due to the likelihood of inquiries, the State provides this release and copy of the charging information and probable cause affidavit for your reference.

* * *

FILED
IN THE HAMILTON CIRCUIT/SUPERIOR COURTS

STATE OF INDIANA)

COUNTY OF HAMILTON)

STATE OF INDIANA)

VS.

JUSTIN WAYNE LAWSON
22303 North Mill Creek Drive
Cicero, IN 46034

OLN: 1050-38-1242 Indiana
DOB: 10/21/1986
SSN: XXX-XX-0878

PHYSICAL DESCRIPTION

Race: W Sex: Male
Height: 6'03" Weight: 340
Eyes: Hazel Hair: Brown

2014 OCT 28 AM 8:00
PEGGY HEAVEN
CLERK
HAMILTON COUNTY COURTS
29002-1410 F2-86d02
CAUSE NO. 29

INFORMATION FOR:

Count 1:
Burglary
I.C. 35-43-2-1 and I.C. 35-43-2-1(3)(A)
a Level 2 Felony

Count 2:
Robbery Resulting in Bodily Injury
I.C. 35-42-5-1(1)
a Level 3 Felony

Count 3:
Criminal Confinement
I.C. 35-42-3-3(a) and I.C. 35-42-3-3(b)(2)(A)
a Level 3 Felony

Count 4:
Intimidation
I.C. 35-45-2-1(a)(1) and I.C. 35-45-2-1(b)(1)(A)
a Level 6 Felony

Count 5:
Strangulation
I.C. 35-42-2-9(b)
a Level 6 Felony

Count 6:
Battery Resulting in Bodily Injury
I.C. 35-42-2-1(b)(1) and I.C. 35-42-2-1(c)
a Class A Misdemeanor

Count 7:
Criminal Recklessness
I.C. 35-42-2-2(a) and I.C. 35-42-2-2(b)(1)(A)
a Level 6 Felony

Count 8:
Theft

I.C. 35-43-4-2(a) and I.C. 35-43-4-2(a)(1)(A)
a Level 6 Felony

BE IT REMEMBERED,

That on this day comes Roger W. Kuba, who being duly sworn upon his oath, says that in the County of Hamilton, State of Indiana,

Count 1: on or about October 9, 2014 Justin Wayne Lawson did break and enter the building of Hershel 'Bud' Moore, to-wit: his residence located at 109 West Main Street in Arcadia, Indiana; with the intent to commit a theft therein, to-wit: to exert unauthorized control over the United States Currency of Hershel 'Bud' Moore, with the intent to deprive Hershel 'Bud' Moore of any part of the use or value of that United States Currency, while armed with a deadly weapon, to-wit: a handgun;

Count 2: on or about October 9, 2014 Justin Wayne Lawson did knowingly take property, to-wit: United States Currency from the presence of another person, to-wit: Hershel 'Bud' Moore, by using force, to-wit: striking Hershel 'Bud' Moore; said act resulting in bodily injury to Hershel 'Bud' Moore, to-wit: bruising or abrasions or physical pain;

Count 3: on or about October 9, 2014 Justin Wayne Lawson did knowingly confine Hershel 'Bud' Moore without the consent of Hershel 'Bud' Moore, said Justin Wayne Lawson being armed with a deadly weapon, to wit: handgun;

Count 4: on or about October 9, 2014 Justin Wayne Lawson did communicate a threat to commit a forcible felony, to-wit: Battery with a Deadly Weapon or Battery Resulting in Serious Bodily Injury; to Hershel 'Bud' Moore, with the intent that said Hershel 'Bud' Moore engage in conduct against the will of said other person, to-wit: provide information as to where Hershel 'Bud' Moore keeps his valuables;

Count 5: on or about October 9, 2014 Justin Wayne Lawson in a rude, insolent or angry manner, did knowingly obstruct the nose or mouth of Hershel 'Bud' Moore in a manner that impeded normal breathing or blood circulation of Hershel 'Bud' Moore;

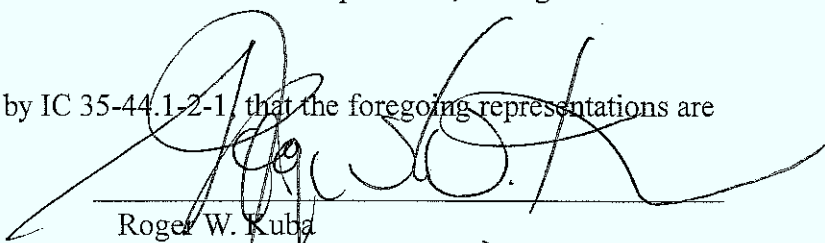
Count 6: on or about October 9, 2014 Justin Wayne Lawson did knowingly touch Hershel 'Bud' Moore in a rude, insolent, or angry manner, to-wit: striking him; resulting in bodily injury, to-wit: bruising or abrasions or physical pain;

Count 7: on or about October 9, 2014 Justin Wayne Lawson did knowingly, with a deadly weapon, to wit: a handgun, perform an act, to-wit: pointed the handgun at him; that created a substantial risk of bodily injury to Hershel 'Bud' Moore;

Count 8: on or about October 9, 2014 Justin Wayne Lawson did knowingly exert unauthorized control over the property of Hershel 'Bud' Moore, to-wit: United States Currency; with the intent to deprive Hershel 'Bud' Moore of any part of the use or value of the property, said property have a value of at least seven hundred fifty dollars and less than the value of fifty thousand dollars, to-wit: approximately two thousand five hundred dollars (\$2,500.00).

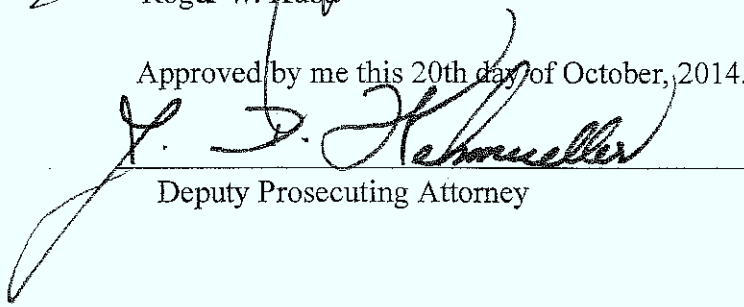
All of which is contrary to the form of the statute of such case made and provided, and against the peace and dignity of the State of Indiana.

I affirm, under penalty of perjury as specified by IC 35-44.1-2-1, that the foregoing representations are true.



Roger W. Kuba

Approved by me this 20th day of October, 2014.



Deputy Prosecuting Attorney

IN THE HAMILTON CIRCUIT/SUPERIOR COURT

STATE OF INDIANA

STATE OF INDIANA

CAUSE NO.: _____

V.

Case No.: 2014-26243

JUSTIN WAYNE LAWSON

AFFIDAVIT FOR PROBABLE CAUSE

Comes now Detective Kija Ireland, who hereby swears upon her oath, deposes and says:

- 1) I am a law enforcement officer with the Hamilton County Sheriff's Office.
 - a. I am submitting this affidavit in support of the charges of: **Burglary** IC 35-43-2-1 Level 2 Felony; **Theft** IC 35-43-4-2 Level 6 Felony; **Residential Entry** IC 35-43-2-1 Level 6 Felony; **Criminal Mischief** IC 35-43-1-2 B misdemeanor; **Robbery** IC 35-42-5-1 Level 3 Felony; **Criminal Confinement** IC 35-42-3-3 Level 3 Felony; **Battery with Injury** IC 35-42-2-1 Level 5 Felony; **Intimidation** IC 35-45-2-1 Level 5 Felony; **Strangulation** IC 35-42-2-9 Level 6 Felony; **Criminal Recklessness with a weapon** IC 35-42-2-2 Level 6 Felony against JUSTIN WAYNE LAWSON a white male with a date of birth of 10/21/86, who stands 6'3", weighs 312 lbs., Brown hair and Hazel eyes with a last known address of 22303 Mill Creek Road, Cicero, Hamilton County, Indiana 46034.
- 2) On October 10, 2014 at or around 4:30 p.m. Detectives with the Hamilton County Sheriff's Office responded to the 100 Block of Main Street, Arcadia, Hamilton County, Indiana on a report of a Home Invasion, Armed Robbery and Battery report.
- 3) A case report was completed under case number: 2014-26243.
 - a. During our contact with the victim, Hershel "Bud" Moore, he stated that sometime after 11:00 p.m. on October 9, 2014 he was in bed and two persons, unknown to him, entered his residence and his bedroom and jumped on top of him in his bed, began hitting him, put a firearm to his person and tied his hands behind his back. Mr. Moore indicated that one of the subjects had gloves on and that both subjects were wearing dark in color clothing. The subjects were requesting money from Mr. Moore. One of the subjects continued hitting him about the head and body while the second subject ransacked his home. Mr. Moore indicated that this activity continued for several hours before they left. Mr. Moore did have injuries to his face and neck which caused bleeding and indicated that he had bitten one of the subjects. Also that during the assault the subject(s) pushed his head into a pillow about his face causing him to not be able to breath. Mr. Moore did give the subjects approximately \$2,500.00 dollars that he had in his wallet. The suspects also took his watch. Mr. Moore indicated after the subjects left; he got himself into the living room area of the residence and began flashing his front porch light for help, with no response from outside persons. Mr. Moore then saw an employee from a nearby business coming into work so he opened his door and yelled for help. During a walk through of the scene, Detective Alex Petty


noticed a pillow with no pillow case on it in Mr. Moore's bedroom. Detective Petty asked family members if the pillow should normally have a pillow case on it and they said yes, it should and that it appeared to be missing. Through our training and experience we have learned that pillow cases are often used by perpetrators to carry items away from the scene of a crime.

- b. On October 17, 2014 the Hamilton County Sheriff's Department received information from JRL, who advised that on 10/10/2014 at about 11:00 PM Joseph Lowe and Justin Lawson arrived at her residence in Noblesville and that Joseph Lowe gave her some money. She asked Joseph where he had gotten the money and he told her the following: that Justin Lawson had told Joseph that he knew of an old man that was deaf and had money. That Joseph Lowe and Justin Lawson had gone to a guy's house and once inside it, ransacked it. That Joseph Lowe and Justin Lawson had put the guy in zip ties and "beat the shit out of him". That Joseph and Justin had black ski masks on and both had guns and had put tape on the bottoms of their shoes so they would not leave shoe prints. That the two men were in the house for some time. That at some point, the person who lived in the house clutched a gold brick against his chest with his hands and that while Joseph and Justin attempted to take the gold brick from him, Joseph stated that "the old fucker bit me". JRL advised that Joseph Lowe indicated that the gold brick was in a garage that Justin Lawson stores things in located in Arcadia at 120 ½ West Main Street.
- 4) On October 19, 2014 this officer along with Detective Alex Petty conducted an interview with JOSEPH MICHAEL LOWE. Mr. Lowe was read Advice of Rights/Interrogation and agreed to speak with officers by signing said form.
 - a. During this interview with JOSEPH MICHAEL LOWE, who admitted that on or about October 09th he and Justin Lawson drove to Arcadia that Justin knew of an old man who had money. Lowe stated that Justin Lawson has a shop near the old man's house. Joseph stated that he drove Justin from Noblesville to Arcadia. Joseph stated that he parked the car near Justin Lawson's shop. He stated that he and Justin went in the shop and put tape on the bottoms of their shoes. Joseph stated that he put on a ski mask and gloves and that Justin Lawson put on a black bandana and that Justin had a hand gun. Joseph stated that he and Justin then walked across the street to the "old man's house". Joseph stated that Justin led him to the back door and that Justin opened it and they went inside. Joseph said that Justin then forced open a locked bedroom door and entered the bedroom and "zip tied the old man. Joseph stated that Justin was hitting the old man and he was Joseph was telling Justin to stop. Joseph stated that at one point while inside the home, he crawled into a closet and retrieved a lock box from inside. Joseph stated that he then gave the lockbox to Justin who went through the contents of the lock box. Joseph stated that Justin struck the old man, Justin then called Joseph a 'pussy' and said 'you aren't built for this shit'. Justin then removed several items from the home. The items removed included money (cash), coins, a gold brick, the lock box and a clear plastic container. Joseph advised that the items taken from the old man's house were carried to Justin's shop. Joseph advised that the items were

hidden in the shop as well as their ski mask, bandana, gloves, hand gun and tape from the bottoms of their shoes.

- 5) On October 20, 2014 this officer along with Detective Alex Petty conducted an interview with JUSTIN WAYNE LAWSON, DOB: 10/21/1986. Lawson was read advice of rights/interrogation and agreed to speak with officers by signing said form. Detective Petty asked some preliminary questions which Lawson acted like he did not understand our questions. Detective Petty then explained that his name had come up during an investigation out of Arcadia, Indiana; LAWSON advised he should probably talk to an attorney. This officer then read to Lawson two (2) search warrants that had been conducted at his place of business located at 120 ½ West Main Street, Arcadia, Indiana and an additional warrant for the collections of physical property; DNA and fingerprints. He was then transferred to the Hamilton County Jail.
- 6) All of the above events occurred in Arcadia, Hamilton County, Indiana.

I hereby swear or affirm under penalties of Perjury as specified under Indiana Code 35-44-2-1 that the foregoing representations are true to the best of my knowledge and belief this 20th day of October, 2014.



Kija Ireland, Detective

Hamilton County Sheriff's Office

IN THE HAMILTON CIRCUIT/SUPERIOR COURTS

STATE OF INDIANA)

COUNTY OF HAMILTON)

STATE OF INDIANA

VS.

JOSEPH MICHAEL LOWE
5423 Grapevine Drive
Indianapolis, IN 46235

OLN: 1400-56-1436 Indiana
DOB: 11/27/1987
SSN: XXX-XX-5687

PHYSICAL DESCRIPTION

Race: W Sex: Male
Height: 5'09" Weight: 190
Eyes: Blue Hair: Blond or Strawberry

CAUSE NO. 29

INFORMATION FOR:

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a Level 2 Felony

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All of which is contrary to the form of the statute of such case made and provided, and against the peace and dignity of the State of Indiana.

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Deputy Prosecuting Attorney

IN THE HAMILTON CIRCUIT/SUPERIOR COURT

STATE OF INDIANA

STATE OF INDIANA

CAUSE NO.: _____

V.

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- 2) On October 10, 2014 at or around 4:30 p.m. Detectives with the Hamilton County Sheriff's Office responded to the 100 Block of Main Street, Arcadia, Hamilton County, Indiana on a report of a Home Invasion, Armed Robbery and Battery report.
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- 4) On October 19, 2014 members of the Hamilton County Sheriff's Department made contact with JUSTIN MICHAEL LOWE for the purpose of executing a search warrant and to conduct an interview. Mr. Lowe was brought back to the HCSO where he was read Advice of Rights/Interrogation and agreed to speak with officers by signing said form. During an interview with JOSEPH MICHAEL LOWE, who admitted that on or about October 09th he and Justin Lawson drove to Arcadia that Justine knew of an old man who had money. Joseph stated that he parked near Justin Lawson's shop and that the two (2) went into the shop and put tape on the bottoms of their shoes, Joseph stated that he put on a ski mask. Joseph stated that he and Justin then walked across the street to the "old man's house". The two went to went thru the back door. Joseph advised that he searched the home for items of value. Joseph stated that at one point while inside the home, he crawled into a closet and retrieved a lock box from inside. Joseph stated that he then gave the lockbox to Justin. Joseph stated that while he was watching the old man, the old man tried to get up and Joseph put his hand out to stop him and that the old man bit him on his hand. Joseph stated that Justin then struck the old man. Joseph stated that he and Justin then removed several items from the home. The items removed included money (cash), coins, a gold brick, the lock box and a clear plastic container. Joseph advised that the items taken from the old man's house were carried to Justin's shop. Joseph advised that the items were hidden in the shop as well as their ski mask, bandana, gloves, hand gun and tape from the bottoms of their shoes.
- 5) All of the above events occurred in Arcadia, Hamilton County, Indiana.

I hereby swear of affirm under penalties of Perjury as specified under Indiana Code 35-44-2-1 that the foregoing representations are true to the best of my knowledge and belief this 20th day of October, 2014.



Kija Ireland, Detective

10/20/14

Hamilton County Sheriff's Office